THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.22082 of 2006

Dated: 27-04-2007

Between:

Gopu Chinnu Bai and others.

..... PETITIONERs

AND

The Grampanchayat, Nandipet Village and Mandal,
Nizamabad District and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.22082 of 2006

ORDER:

The petitioners purchased/obtained small extents of house sites in Nandipet Village and Mandal, Nizamabad District, under different sale/gift deeds from the original owners. They filed applications before first respondent Gram Panchayat for construction permission. After obtaining permission, which was granted during 2005-2006, they commenced construction. On 19.10.2006, the respondents allegedly interfered with their (petitioners') possession and prevented construction activity without due process of Law. Therefore, they filed instant writ petition.

This Court initially granted *status quo* on 01.11.2006. When the matter was called again, based on the submission of the learned Government Pleader that there was no interference by

the respondents, the writ petition was closed on 15.11.2006. Said order was recalled by this Court in Review W.P.M.P.No.34739 of 2006 on 05.03.2007.

Today when the matter is called, the learned Assistant Government Pleader for Panchayat Raj and Rural Development submits that the land in survey No.630/1/da is assigned land, which was purchased/obtained by the petitioners in contravention of the provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 (the Act, for brevity). He also submits that necessary action is being initiated for resumption of the land. If that be so, it is always open to the competent authority to initiate action under the Act for resumption of the land. The same, however, does not enable first respondent Gram Panchayat or the other respondents to demolish the houses or to prevent construction of houses, especially when valid permission was granted by first respondent Gram Panchayat. It is always open to first respondent Gram Panchayat to take necessary steps for cancellation of permission granted to the petitioners as per Law.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

27th April, 2007
ghn